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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/574,616	05/18/2000	Tetsujiro Kondo	450101-02094	8380
20999	7590	11/01/2004	EXAMINER	
FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			ALAVI, AMIR	
			ART UNIT	PAPER NUMBER
			2621	

DATE MAILED: 11/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/574,616	<b>Applicant(s)</b> KONDO ET AL.	
	<b>Examiner</b> Amir Alavi	<b>Art Unit</b> 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-13 and 20-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 11-13, 20 and 30-32 is/are rejected.
- 7) ☒ Claim(s) 2-10 and 21-29 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 May 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>20010608</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### Specification

- Applicant is reminded of the proper language and format for an abstract of the disclosure.
- The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.
- The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.
- The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### **Claim Rejections - 35 USC § 102**

- The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

- Claim 1, 11-13, 20 and 30-32 are rejected under 35 U.S.C. 102(b) as being anticipated by Makur (USPN 4,963,030).

Regarding claim 1, Makur discloses: An evaluation section for deciding, on the basis of the characteristics of an image signal having a plurality of pixel data, the coding order for the plurality of pixel data (Please note, figures 1 and 2, in correlation to column 4, lines 42-68 and column 5, lines 1-29, in this regard, Examiner considers either the first or second decimators to correspond to Applicant's evaluation section, herein, on lines 65-68 of column 4, wherein, because the decimated sequences which provide the distributed block vectors as sub-blocks have similar probability distributions, it is necessary to design and store only one codebook 22 for sub-blocks of decimated and distributed input block vectors. Further, on lines 19-20 of column 5,

wherein a simpler way of ordering the codebook is using the average intensity, in this regard, Examiner considers this average intensity to correspond to Applicant's characteristics); and a coding section for coding the plurality of pixel data in the order decided by the evaluation section (Please note, figure 2, element 22).

Regarding claim 11, Makur discloses, wherein the coding section differentially codes the plurality of pixel data in the order decided by the evaluation section (Please note, column 4, lines 65-68. As indicated the decimated sequences provide the distributed block vectors. In this regard, a vector being indicative of differentiation coding).

Regarding claim 12, Makur discloses, wherein a macroblock splitting section for splitting the image signal into a plurality of macroblocks, wherein the evaluation section decides the coding order for the plurality of image data in each macroblock, for each macroblock (Please note, figure 1b).

Regarding claim 13, Makur discloses, wherein a decimation section for decimating pixel data of a part of the image signal, wherein the evaluation section decides the coding order for the image signal from which the pixel data of a part thereof is decimated by the decimation section (Please note, figure 1b, in correlation to column 4, lines 42-50).

Regarding claim 20, arguments analogous to those presented for claim 1, are applicable.

Regarding claims 30-32, arguments analogous to those presented for claims 11-13, respectively are applicable.

### **Allowable Subject Matter**

- Claims 2-10 and 21-29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
- The following is a statement of reasons for the indication of allowable subject matter: None of the prior art disclose or fairly suggest wherein the evaluation section selects pixel data having a strong correlation with respect to a given noted pixel data, from the plurality of pixel data, and decides the selected pixel data as pixel data next to the noted pixel data.

### **Other prior art cited**

- The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Easwar (USPN 6,567,559 B1) is pertinent as teaching hybrid image compression with compression ratio control.

Charrier et al. (USPN 6,501,860 B1) is pertinent as teaching digital signal coding and decoding based on subbands.

Thyagarajan et al. (USPN 6,529,634 B1) is pertinent as teaching contrast sensitive variance based adaptive block size DCT image compression.

Li et al. (USPN 6,473,528 B2) is pertinent as teaching shape adaptive technique for image and video compression.

Ammicht et al. (USPN 6,788,820 B2) is pertinent as teaching methods and apparatus for wavelet-based image compression.

Lindquist (USPN 6,801,667 B1) is pertinent as teaching method and apparatus for reordering of a bit stream.

Nelson et al. (USPN 6,804,401 B2) is pertinent as teaching method for compressing digital documents with control of image quality subject to multiple compression rate constraints.

Itonori et al. (USPN 5,386,508) is pertinent as teaching apparatus for generating programs from inputted flowchart images.

Citta et al. (USPN 5,128,757) is pertinent as teaching video transmission system using adaptive sub-band coding.

Tourtier et al. (USPN 5,446,495) is pertinent as teaching television signal sub-band coder/decoder with different levels of compatibility.

Harrison et al. (USPN 5,982,811) is pertinent as teaching method for efficient sampling in a correlator.

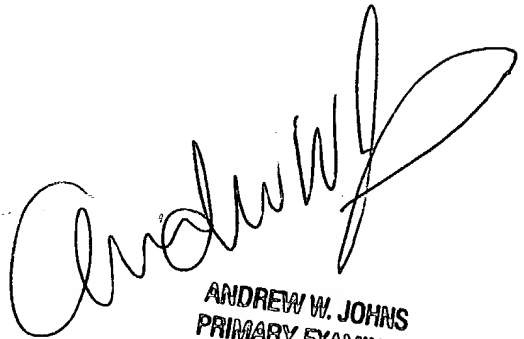
## **Contact Information**

- Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amir Alavi whose telephone number is 703-306-5913.
- The examiner can normally be reached on Mon-Thu.. 8:00 am thru 6:30pm.If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Leo Boudreau can be reached on 703-305-4706.



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- The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.
- For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ANDREW W. JOHNS  
PRIMARY EXAMINER

AA  
Group Art Unit 2621  
28 October 2004